

Notice of Allowability

Application No.

10/054,446

Examiner

Brian J. Detwiler

Applicant(s)

BROWN ET AL.

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1,5-9,13-17 and 21-24.
3. ☒ The drawings filed on 22 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marilyn Dawkins on 16 September 2004.

The application has been amended as follows:

Cancel claims 2-4, 10-12, and 18-20.

Replace claim 1 with:

A method for adjusting graphical displays to accommodate for a visual disability, said method comprising the steps of:

receiving an image at a receiver communicatively connected via a network to an image server and connected to a display device for output of said image;

receiving a translucent style specified for a particular user at said receiver according to a type of visual disability;

applying a translucent filter overlay over said image according to said translucent style for output to said display device, such that said output to said display device is adjusted to specifically accommodate for a visual disability of said particular user; and

wherein the step of receiving a translucent style specified for a particular user further comprises receiving said translucent style as input from one of a remote server system

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communicatively connected to said receiver via said network or a personal storage device detectable by said receiver.

Replace claim 9 with:

A system for adjusting graphical displays to accommodate for a visual disability, said system comprising:

a receiver communicatively connected via a network to an image server for receiving an image and connected to a display device for output of said image;

means for receiving a translucent style specified for a particular user at said receiver according to a type of visual disability;

means for applying a translucent filter overlay over said image according to said translucent style for output to said display device, such that said output to said display device is adjusted to specifically accommodate for a visual disability of said particular user; and

wherein the means for receiving a translucent style specified for a particular user further comprises means for receiving said translucent style as input from one of a remote server system communicatively connected to said receiver via said network or a personal storage device detectable by said receiver.

Replace claim 17 with:

A program for adjusting graphical displays to accommodate for a visual disability, residing on a computer usable medium having computer readable program code means, said program comprising:

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means for enabling receipt of an image at a receiver communicatively connected via a network to an image server for receiving an image and connected to a display device for output of said image;

means for enabling receipt of a translucent style specified for a particular user at said receiver according to a type of visual disability;

means for controlling application of a translucent filter overlay over said image according to said translucent style for output to said display device, such that said output to said display device is adjusted to specifically accommodate for a visual disability of said particular user; and

wherein the means for enabling receipt of said translucent style specified for a particular user further comprises means for receiving said translucent style as input from one of a remote server system communicatively connected to said receiver via said network or a personal storage device detectable by said receiver.

Information Disclosure Statement

The information disclosure statement filed 10 April 2004 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because no dates are provided for the references. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: In combination with the claimed subject matter, the prior art does not teach or fairly suggest receiving a translucent style as input from a remote server system or personal storage device and applying a corresponding translucent filter to accommodate a type of visual disability. The prior art made of record on form PTO-892 only teaches numerous means for effecting the transparency of a display window and/or displaying a transparent window in combination with other transparent or fully opaque windows.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Detwiler whose telephone number is 703-305-3986 through October 20, 2004. The examiner's phone number thereafter will be 571-272-4049. The examiner can normally be reached Monday through Thursday from 8am-5:30pm and alternating Fridays from 8am-4:30pm.

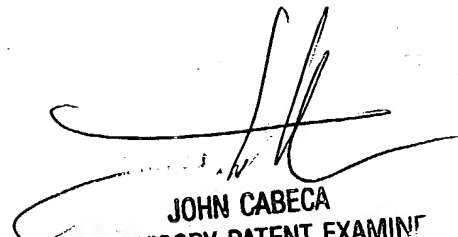
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached at 703-308-3116 through October 20, 2004. Mr.

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Cabeca will be reachable at 571-272-4048 after October 20th. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bjd



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